

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

UNITED STATES OF AMERICA,

Plaintiff,

v.

TREMAIN LEAH CHALMERS,

Defendant.

CASE NO. CR13-5512BHS

ORDER

This matter comes before the Court on Defendant's unopposed Motion for Continuance of Trial Date and Pretrial Motions Cut-off Date. The Court, having considered the unopposed motion, the declaration of defense counsel in support of the motion, and being familiar with the entire case, makes the following findings of fact and conclusions of law:

1. Defense counsel was recently appointed to represent Ms. Chalmers on April 1, 2015, and therefore needs time to contact his new client and also to receive discovery.

2. The defense needs additional time to explore all relevant issues and defenses applicable to the case, which would make it unreasonable to expect adequate preparation for pretrial proceedings or for trial itself within the time limits established by the Speedy Trial Act and currently set for this case. 18 U.S.C. § 3161(h)(7)(B)(ii).

1 3. Taking into account the exercise of due diligence, a continuance is necessary to allow
2 the defendant the reasonable time for effective preparation his defense, to explore resolution of
3 this case before trial and to ensure continuity of defense counsel. 18 U.S.C. § 3161(h)(7)(B)(iv).

4 4. Proceeding to trial absent adequate time for the defense to prepare would result in a
5 miscarriage of justice. 18 U.S.C. §3161(h)(7)(B)(i).

6 5. The ends of justice served by granting this continuance outweigh the best interests of
7 the public and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(7)(A) and (B).

8 6. Defendant will execute and file a speedy trial waiver through October 17, 2015.

9 NOW, THEREFORE, IT IS HEREBY ORDERED

10 That the trial date is continued from April 7, 2015, to September 29, 2015, at 9:00 a.m.
11 Pretrial Conference is set for September 21, 2015, at 10:00 a.m. Pretrial motions are due by
12 August 12, 2015. The resulting period of delay from April 2, 2015, to September 29, 2015, is
hereby excluded for speedy trial purposes under 18 U.S.C. § 3161(h)(7)(A) and (B)

13 Dated this 3rd day of April, 2015.

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16 BENJAMIN H. SETTLE
17 United States District Judge
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